

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

JAMES ERIC LOFTEN

§

VS.

§

CIVIL ACTION NO. 5:06cv215

FIFTH CIRCUIT COURT OF APPEALS

§

ORDER ADOPTING REPORT AND RECOMMENDATION

Petitioner James Eric Loften, proceeding *pro se*, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition was referred to United States Magistrate Judge Caroline M. Craven. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact, conclusions of law, and recommendations for disposition of this case. The Report recommended dismissing it without prejudice. No objections were filed. This Court finds the Magistrate Judge's findings and conclusions are correct, and adopts them as the Court's findings and conclusions. In accordance with the Report of the Magistrate Judge, the Court therefore

ORDERS, ADJUDGES, and DECREES that this action is **DISMISSED WITHOUT PREJUDICE**. All motions by any party not previously ruled on are **DENIED**.

SIGNED this 4th day of November, 2008.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE